

Mayor Alan McGraw

Mayor Pro-Tem Craig Morgan Councilmembers Rene Flores Frank Leffingwell Will Peckham Writ Baese

Kris Whitfield

City Manager Laurie Hadley

City Attorney Stephan L. Sheets

January 25, 2017

John Avery, Jr. 1508 S. Lamar Austin, TX 78704

Re: Interpretation of PUD No. 83 – University Village – Parcels 1a, 1b and 1c

Dear Mr. Avery:

I have made the following interpretation regarding the regulations contained in PUD No. 83 with regard to eating establishments on Parcels 1a, 1b and 1c:

- According to Sections 5.1.1, 5.1.2 of PUD No. 83, eating establishments are a permitted use on Parcels 1a and 1b, however drive-thru services are prohibited.
- As indicated on Exhibit 'H' of PUD No. 83 (highlighted and attached), Parcels 1a and 1b are a width of 150 feet, measured from Sandy Brook Drive, and are bordered on the east by Parcel 1c..
- According to Section 5.1.3 of PUD No. 83, eating establishments with drive-thru services are a permitted use on Parcel 1c.
- It is therefore my determination that a building which contains an eating establishment with drive-thru services can be located partially within the boundaries of **Parcels 1a and 1b**, so long as the drive-through lane(s) and associated facilities including, but not limited to, the ordering system(s), drive-up window(s) and vehicle stacking areas, are located completely within the boundaries of **Parcel 1c**.

The intent of this interpretation is to insure that all drive-thru lanes, menu boards, ordering systems, driveup window and vehicle stacking areas are located at least 150 feet from Sandy Brook Drive.

Sincerely,

Brad Wiseman, AICP, Director Planning and Development Services

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